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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/800,868	03/16/2004	Yoshinobu Yamazaki	032405R166	1561

441 7590 07/13/2005

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EXAMINER

WRIGHT, DIRK

ART UNIT	PAPER NUMBER
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3681

DATE MAILED: 07/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/800,868

Applicant(s)

YAMAZAKI ET AL.

Examiner

Dirk Wright

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1, 4, 5, 9, 10, 12, 16, 17 and 19 is/are rejected.
- 7) ☒ Claim(s) 2, 3, 6-8, 11, 13-15 and 18 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 04162004.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

Claims Rejected

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1, 4, 5, 9, 10, 12, and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Yasui '953. Yasui shows a differential wherein the pressure angle on each side of the teeth of the pinion and side gears of a differential are different, thus producing a thrust force for engaging a friction clutch and limiting differential action. The pressure angles are designed to be different in the driving and coasting directions of rotation. See col. 3, line 45-50.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 17 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yasui '953. It would have been obvious to one of ordinary skill in this art to substitute a cone clutch for the friction disc clutch 22 of Yasui. The examiner takes Official Notice that the use of a cone clutch instead of a friction disc clutch is old and well known to those of ordinary skill in this art. See MPEP 2144.03.

Subject Matter Allowable

Claims 2, 3, 6-8, 11, 13-15, and 18 are objected to because they contain allowable subject matter yet depend from a rejected base claim. The subject matter of these claims is allowable

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because the prior art does not anticipate nor render obvious the claimed combination as recited in claim 1 with the additional features of: a differential case connected to the transmission output shaft; a first driving gear which is housed in the differential case to be meshed with a first driven gear disposed on the first driving shaft; a second driving gear which is housed in the differential case to be meshed with a second driven gear disposed on the second driving shaft; and an intermediate gear which is integrally disposed on the second driving gear to be meshed with the first driving gear; or: a carrier which is connected to the second driving shaft to rotatably support the an intermediate gear which is integrally disposed on the driving gear to be meshed driving gear; and with an output gear disposed on the transmission output shaft.

Prior Art Discussed

The examiner has considered the references cited by applicant in his Information Disclosure Statement filed April 16, 2004. None of the references show all of the features of the claimed combination.

The references cited by the examiner are deemed pertinent to applicant's disclosure. Barnett shows a tooth for a differential gear wherein each face has a different profile.

Conclusion

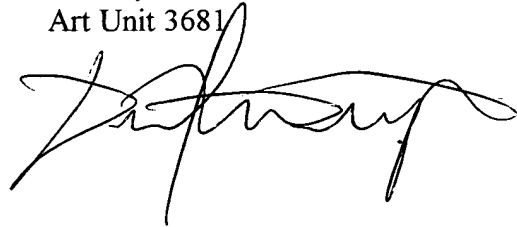
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dirk Wright whose telephone number is 571-272-7098. The examiner can normally be reached on Monday through Friday, 8AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Marmor can be reached on 571-272-7095. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Dirk Wright
Primary Examiner
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A handwritten signature in black ink, appearing to read 'Dirk Wright', is written over the printed name and title.

DW
Friday, July 08, 2005